

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JARROD WAYNE HUFF,

Plaintiff,

v.

KILOLO KIJAKAZI,
ACTING COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

No. 1:20-CV-00821 (GSA)

**[PROPOSED] ORDER FOR AWARD AND
PAYMENT OF ATTORNEYS FEES
PURSUANT TO EAJA 28 U.S.C. §2412(d)**

IT IS HEREBY ORDERED that Jarrod Wayne Huff ("Plaintiff") be awarded attorney fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. §2412(d), in the amount of nine thousand eighty-two dollars and thirty-one cents (\$9,082.31). This represents compensation for legal services rendered on behalf of Plaintiff by counsel in the above-referenced civil action in accordance with 28 U.S.C. § 2412(d).

The government will consider the matter of Plaintiff's assignment of EAJA fees to Plaintiff's attorney. Pursuant to *Astrue v. Ratliff*, 560 U.S. 586, 598 (2010), the ability to honor

1 the assignment will depend on whether the attorney fees are subject to any offset allowed under
2 the United States Department of the Treasury's Offset Program. After the Order for EAJA fees is
3 entered, the government will determine whether they are subject to any offset.

4 Fees shall be made payable to Plaintiff, but if the Department of the Treasury determines
5 that Plaintiff does not owe a federal debt subject to offset, then the government shall cause the
6 payment of fees approved to be made payable to Melissa Newel or Newel Law (collectively
7 "Plaintiff's counsel"), pursuant to the assignment executed by Plaintiff. Any and all payments
8 made shall be delivered to Plaintiff's counsel.

9 This award is without prejudice to the rights of Plaintiff's counsel to seek Social Security
10 Act attorney fees under 42 U.S.C. §406(b), subject to the provisions of the EAJA.

11
12 IT IS SO ORDERED.

13 Dated: July 19, 2022

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE